

**CHAPTER 1076****OPEN MEETINGS AND PUBLIC RECORDS —  
CONFIDENTIAL PUBLIC AIRPORT, MUNICIPAL CORPORATION, UTILITY,  
AND RURAL WATER DISTRICT INFORMATION***S.F. 2277*

**AN ACT** creating a new category of confidential public records in the custody of certain airports, municipal corporations, utilities, or water districts, and allowing a governmental body to hold a closed session to discuss such confidential records.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 21.5, subsection 1, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. k. To discuss information contained in records in the custody of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A, that are confidential records pursuant to section 22.7, subsection 43. This paragraph is repealed effective June 30, 2007.

Sec. 2. Section 22.7, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 43. Records of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A, where disclosure could reasonably be expected to jeopardize the security or the public health and safety of the citizens served by a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A. Such records include but are not limited to vulnerability assessments and information included within such vulnerability assessments; architectural, engineering, or construction diagrams; drawings, plans, or records pertaining to security measures such as security and response plans, security codes and combinations, passwords, passes, keys, or security or response procedures; emergency response protocols; and records disclosing the configuration of critical systems or infrastructures of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A. This subsection is repealed effective June 30, 2007.

Approved April 5, 2002

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**CHAPTER 1077****CERTIFICATION OF WELL CONTRACTORS AND  
PUMP SERVICES PROVIDERS***H.F. 583*

**AN ACT** relating to the certification of persons providing water pump services.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 455B.190A, subsection 1, Code 2001, is amended to read as follows:

1. As used in this section:

a. "Certified well contractor" means a well contractor who has successfully passed an

examination prescribed by the department to determine the applicant's qualifications to perform well drilling or pump services or both.

a. b. "Examination" means an examination for well contractors which includes, but is not limited to, relevant aspects of Iowa groundwater law, well construction, well maintenance, pump services, and well abandonment practices which protect groundwater and water supplies.

b. c. "Groundwater" means groundwater as defined in section 455E.2.

d. "Pump services" means the installation, repair, and maintenance of water systems.

e. "Water systems" means any part of the mechanical portion of a water well that delivers water from the well to a valve that separates the well from the plumbing system. "Water systems" includes the pump, drop pipe to the well, electrical wire from the pump to the electrical panel, piping from the well to the pressure tank, pitless unit or adaptor, and all related miscellaneous fittings necessary to operate the well pump. "Water systems" does not include any outside piping to other buildings, and does not include the piping that carries the water in the remainder of the distribution system.

e. f. "Water well" or "well" means water well as defined in section 455B.171.

d. g. "Well contractor" means contractor as defined pursuant to section 455B.171, subsection 10.

e. h. "Well contractors' council" means the council established in subsection 3.

f. i. "Well services" means new well construction, well reconstruction, installation of pitless equipment, pump services, or well plugging.

Sec. 2. Section 455B.190A, subsection 2, paragraphs d, e, and g, Code 2001, are amended to read as follows:

d. Violation of the rules regarding the provision of well construction, maintenance, or plugging services are grounds for suspension or revocation of certification.

e. Provisional certification may be obtained by an applicant in instances of shortages of certified personnel if all of the following conditions are met:

(1) The applicant provides documentation of at least one year of work experience in well services performed under the direct supervision of a certified well contractor.

(2) The applicant successfully completes the examination.

(3) A certified well contractor who employs an applicant for well contractor certification cosigns the application for provisional certification. An employer who cosigns an application for provisional certification is jointly liable for a violation of the rules regarding well construction, maintenance, or plugging services by the provisionally certified well contractor and the violation is grounds for the suspension or revocation of certification of the certified well contractor and the provisionally certified well contractor.

g. The examination shall be developed by the department in consultation with the well contractors' council to determine the applicant's qualifications to perform well drilling or pump services or both. The examination shall be updated as necessary to reflect current groundwater law and well construction, maintenance, pump services, and abandonment practices. The examination shall be administered by the department or by a person designated by the department.

Sec. 3. Section 455B.190A, subsection 3, Code 2001, is amended by striking the subsection and inserting in lieu thereof the following:

3. a. The department shall establish a well contractors council.

b. The membership of the council shall consist of the following members:

(1) Two well drilling contractors.

(2) Two pump installation contractors.

(3) One citizen member of the Iowa groundwater association or its successor.

(4) One citizen member of the Iowa environmental health association or its successor.

(5) The director of public health or the director's designee.

(6) The state geologist or the state geologist's designee.

- (7) The director of the state hygienic laboratory or the director's designee.
- c. The council shall advise and assist the department in doing all of the following:
- (1) The development, review, and revision of the department's rules to implement this section.
- (2) The development, updating, and revision of the examination for well contractor certification.
- (3) The establishment, review, and revision of the continuing education requirements for certification.
- (4) The production and publication of the consumer information pamphlet.
- d. The council shall meet as often as necessary to perform the council's duties. The department shall provide the council with staff assistance.

Sec. 4. Section 455B.190A, subsection 4, Code 2001, is amended to read as follows:

4. The department shall develop, in consultation with the well contractors' council, a consumer information pamphlet regarding well construction, well maintenance, well plugging, pump services, and Iowa groundwater laws. The department and the council shall review and revise the consumer information pamphlet as necessary. The consumer information pamphlet shall be supplied to well contractors, at cost, and well contractors shall supply one copy at no cost to potential customers prior to initiation of well services.

Sec. 5. Section 455B.190A, Code 2001, is amended by adding the following new subsection:

**NEW SUBSECTION.** 7. A well contractor who is engaged in performing pump services on or prior to June 30, 2004, and who registers as a pump installer with the department by June 30, 2004, shall be deemed to have met the certification requirements of this section without examination. Beginning July 1, 2004, a pump installer seeking an initial well contractor certification shall meet the requirements for certification established in this section.

Sec. 6. **NOTIFICATION.** The department shall make reasonable efforts to provide notice to persons engaged in performing pump services on or prior to June 30, 2004, that such persons shall have until June 30, 2004, to register with the department and thereby become certified without examination.

Approved April 5, 2002

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## CHAPTER 1078

### CITY PLANNING AND ZONING COMMISSIONS — EXTENDED ZONING JURISDICTION — MEMBERSHIP

*H.F. 2135*

**AN ACT** relating to the membership of the planning and zoning commission in certain cities.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 414.23, unnumbered paragraph 2, Code 2001, is amended to read as follows:

A municipality, during the time its zoning jurisdiction is extended under this section, shall increase the size of its planning and zoning commission and its board of adjustment each by